

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re: Gary Lee Pocock Jr. : Case No: 17-50302  
Debtor(s) : Chapter 13 Judge: C KATHRYN PRESTON  
: 341 Hrg: 3/1/2017

**CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION**

Now comes Frank M. Pees, Standing Chapter 13 Trustee, and objects to the confirmation of the plan and requests that the Court enter an Order denying confirmation for the reasons set forth below and dismissing the case, pursuant to 11 U.S.C. §1307. This objection supersedes any prior objection filed in this case by the Trustee.

Above median income \_\_\_\_\_ Below median income  X

X  **11 U.S.C. §1325(a)(1)**-Plan does not comply with all provisions of Chapter 13 of Title 11 and the other applicable provisions of Title 11:

X  Trustee is unable to accurately determine length. **An Order has not been entered on Debtor's Motions to avoid liens related to the R/E located at 3939 Genteel Dr as proposed by paragraph 5.4.2 of the plan.**

X  Other: **Trustee calculates the State of OH R/E lien to be fully secured.**

**Plan section #7 lacks a rate of interest for secured creditors.**

**Plan section 5.1.7 is not complete.**

X  **11 U.S.C. §1325(a)(4)**-Plan does not meet the best interest test.

X  Trustee is unable to accurately determine best interest as Debtor(s) have failed to provide an acceptable appraisal, pursuant to LBR 3015-3(e)(3).

Pursuant to LBR 3015-2(a), amendments necessary to place the plan in a posture for confirmation must be filed at least ten (10) days prior to the hearing on confirmation set for April 06, 2017, unless Debtor(s) have entered into an Agreed Order with the Trustee and so are bound by the terms of that Order.

Therefore, the Trustee prays that confirmation is denied and this case be dismissed for cause pursuant to §1307(c).

**TERMS OF THE PLAN:**

**Plan Payments: 934 mo**

**Best Interest Dividend: 0%      Dividend: 3%**

**Length: 0 Months**

Dated: March 08, 2017

Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees  
Chapter 13 Trustee  
130 East Wilson Bridge Road #200  
Worthington, Ohio 43085  
(614) 436-6700  
trustee@ch13.org

CERTIFICATE OF SERVICE

The undersigned hereby certified that on the date shown below a copy of the Trustee's Objection to Confirmation was served electronically on the Office of the United States Trustee and Debtor's attorney, and on the Debtor(s) at the address as currently shown in the Trustee's records by regular first class mail, postage prepaid.

Dated: March 08, 2017

/s/ Frank M. Pees

Frank M. Pees

Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085-6300